

d.) Remarks.

Applicant has amended claims 1, 8, 9, 15, 20, 25, 26, 30, 31, 40, 46, 51-53, 54, 56 and 58 to more clearly define the invention. No new matter is presented with these amendments, which are supported in the specification and also the original claims. For example, support for certain of the amendments is located in two paragraphs of the specification, which recite that:

“Search and analysis tools may be incorporated by the system to identify specific aspects of a single record such as, for example, all information relating to heart rate, blood, kidney function, neurological effects, the administration of general classes of drugs or a specific drug. Errors may be expunged or simply identified and linked (i.e. a notation placed into the record that the information specified is inconsistent with other information in the record that is also similarly identified). Generally, clear errors and errors in input may be identified and expunged while inconsistencies or other unexplained anomalies may preferably be identified and/or noted and linked.

Medical records generally contain all information relevant to the procedure to which the record pertains (e.g. hospital stay, drug treatment, surgery). The relevance of any specific medical information is determined by the health care professional and/or medical associations such as the American Medical Association. Medical records that are verified as accurate attain the aspect of non-repudiation (i.e. that the accuracy and correctness of the information is as good or better than exists at the source sites from which the records were obtained), and may for all purposes be relied upon. As such, non-repudiated records may therefore be primary for future treatment or diagnoses. This aspect of non-repudiation is believed to be unavailable from any other medical information system. This allows the system provider to guarantee or warranty that the information can be relied upon with regard to future treatments (i.e. are primary records), payment issues and any other considerations.” (emphasis added) (specification, page 17).

Applicant respectfully asserts that the claimed invention is new and novel, and can be distinguished from all of the references cited in the Information Disclosure States filed with the PTO, including Schultz et al. (WO 98/15910; “Schultz”). Schultz was the only reference identified as “of particular relevance” by the International Searching Authority

in the International Search Report for corresponding International Application No. PCT/US01/41125). Schultz does not disclose or suggest many aspects of applicant's claimed invention including the aspects noted above from page 17 of the specification.

Conclusion

Claims 1-59 are presently pending and the application is in condition for examination. The prompt issuance of an Office Action is earnestly solicited. If there are any fees due with the filing of this Preliminary Amendment, including any fees for an extension of time or additional claims, applicant respectfully requests that all such fees be charged to Deposit Account No. 03-1952.

Respectfully submitted
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